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**DATE:** December 21, 2006

**PTO IDENTIFIER:** Application Number 10/723,622-Conf. #1078  
 Patent Number

**Inventor:** Masanori HAYASHI et al.

**MESSAGE TO:** US Patent and Trademark Office

**FAX NUMBER:** (571) 273-8300

**FROM:** LAHIVE & COCKFIELD, LLP  
 Anthony A. Laurentano

**PHONE:** (617) 227-7400

**Attorney Dkt. #:** SIW-072

**PAGES (Including Cover Sheet):** 4

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 Certificate of Transmission (1 page)

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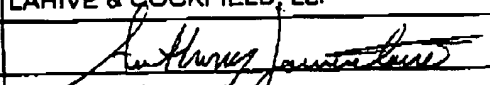
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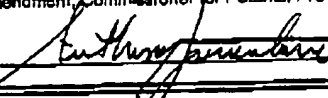
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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/723,622-Conf. #1078
	Filing Date	November 25, 2003
	First Named Inventor	Masanori HAYASHI
	Art Unit	1745
	Examiner Name	J. Crepeau
Total Number of Pages In This Submission	Attorney Docket Number	SIW-072

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
Remarks		

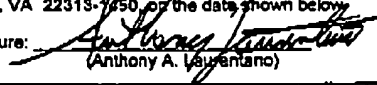
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Firm Name	LAHIVE & COCKFIELD, LLP		
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Printed name	Anthony A. Laurentano		
Date	December 21, 2006	Reg. No.	38,220

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Dated: December 21, 2006	Signature:  (Anthony A. Laurentano)

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Dated: December 21, 2006 Signature: 

(Anthony A. Laurentano)

Docket No.: SIW-072  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Masanori Hayashi *et al.*

Application No.: 10/723,622

Confirmation No.: 1078

Filed: November 25, 2003

Art Unit: 1745

For: START-UP METHOD FOR FUEL CELL

Examiner: J. Crepeau

RESPONSE TO RESTRICTION REQUIREMENTMS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed November 21, 2006 (Paper No. 20061117).


The Examiner deems claim 1 is generic and has required restriction between the following patentably distinct species in the above-identified application:

- (i) First embodiment of the invention (Fig. 2)
- (ii) Second embodiment of the invention (Fig. 6)
- (iii) Third embodiment of the invention (Fig. 8)
- (iv) Fourth embodiment of the invention (Fig. 11)
- (v) Fifth embodiment of the invention (Fig. 14)

Accordingly, Applicants hereby elect Species (i) first embodiment of the invention (Fig. 2) corresponding to claims 1-5 for continued examination.

Dated: December 21, 2006

Respectfully submitted,

By   
Anthony A. Laurentano  
Registration No.: 38,220  
LAHIVE & COCKFIELD, LLP  
One Post Office Square  
Boston, Massachusetts 02109-2127  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant

PTO/SB/97 (06-04)

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Application No. (If known): 10/723,622

Attorney Docket No.: SNV-072

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